

Yalkut & Israel
865-B Walton Avenue
Bronx, New York 10451
(718) 292-2952

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PATRICK WILLIS,

Plaintiff,

**PLAINTIFF'S FIRST SET OF
INTERROGATORIES AND REQUEST
FOR PRODUCTION OF DOCUMENTS
OF DEFENDANTS**

Docket No. 07 CV 09240 (DLC)

An EFC Case

THE CITY OF NEW YORK

,

Defendants.

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Pursuant to Rules 26, 33 and 34 of the Federal Rules of Civil Procedure ("Federal Rules") and Local Rule 26.2 and 26.3 of this Court ("Local Rule" or "Local Rules"), defendants hereby request that plaintiff serve upon the undersigned sworn written answers to each of the interrogatories set forth below and produce for inspection and copying the documents requested below at the offices of Yalkut & Israel, Esqs. at 865-B Walton Avenue, Bronx, New York 10451 within 30 days after service hereof.

These interrogatories and document requests are continuing. If at any time after service of answers hereto, and prior to the trial of this action, plaintiff obtains or becomes aware of additional information pertaining to any of these interrogatories or document requests, the disclosure of which may be required pursuant to Rule 26(e) of the Federal Rules, plaintiff shall, within thirty days, and in no event later than five days before trial, serve upon the undersigned supplemental sworn written answers setting forth such additional information.

INSTRUCTIONS

1. If the answer to all or any part of an interrogatory is not presently known or available, include a statement to that effect and furnish any information currently known or available and a description of the source of information that was once known or available which could have been used to respond to the interrogatory.
2. If any information called for by an interrogatory is withheld by reason of a claim of privilege, state with specificity the information required by Local Rule 26.2.
3. These interrogatories are continuing in nature so as to require further and supplemental responses if plaintiff discovers, receives or generates additional information between the time of original response to these interrogatories and trial.
4. If plaintiff responds that any interrogatory cannot with due diligence on his part, be answered or ascertained, plaintiff shall nevertheless state what steps were taken to respond to such interrogatory and provide the names and addresses of persons or organizations that may have such information.
5. If any interrogatory cannot be responded to in full, respond to the extent possible, specifying the reason or reasons for plaintiff's inability to complete the response and stating what information, knowledge, information, or belief defendants have concerning the incomplete portion.

DEFINITIONS

1. These definitions incorporate by reference the Uniform Definitions in Discovery Requests set forth in Local Rule 26.3.
2. As used herein, the term "incident" refers to the events described in the complaint.

INTERROGATORIES

1. Please identify any and all persons who entered the plaintiff's apartment on . If you are unable to identify any of the individuals within the meaning of Local Rule 26.3, describe that individual's physical characteristics.

2. Please provide the home and business addresses and telephone numbers of any and all persons employed by the defendant who were present when the plaintiff's door was opened by the police including members of ESU.

3. Please set forth whether any police reports was prepared in connection with the police entry into the plaintiff's apartment. If so, state when the reports were prepared and the Police Departmental name and/or number of such reports.

4. Please set forth whether the following reports were prepared: UF-49, Unusual Occurrence report, PD 313-152, PD -313-081, PD- 246-082, UF- 250 (Stop and Frisk)

5. Please identify each and every person the defendant contends has knowledge of any of the facts relating to plaintiff's claims

6. Please identify any and all documents prepared by you or any other person which relates to the claims and subject matter of this litigation.

7. Please identify any persons whom plaintiff intends to call as an expert witness at the trial of this action.

8. Please identify each and every person plaintiff or his representative has contacted or interviewed in connection with this litigation.

9. Please identify any and all documents reviewed, relied upon or consulted in the preparation of plaintiff's responses to these interrogatories.

DOCUMENT REQUESTS

1. Please identify all the documents identified in interrogatory No. 3 above.
2. Please identify all the documents identified in interrogatory No. 4 above.
3. Please provide all expert disclosures as required under the Federal and Local

Rules.

Dated: July 7, 2008
Bronx, New York

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YALKUT & ISRAEL, ESQS.
Attorneys for Plaintiff
865-B Walton Avenue
Bronx, New York 10451
(718) 292-2952

By: 


Arlen S. Yalkut (AY-1522)

To: MICHAEL A. CARDOZO
Attorney for Plaintiff
100 Church Street 4th Floor
New York, New York 10007
(212) 786-7368 (phone)
(212) 786-7369 (fax)

DECLARATION OF SERVICE

I, **ARLEN S. YALKUT**, declare , pursuant to 28 U.S.C. Section 1746, under the penalties of perjury that on July 8, 2008 I served the annexed **PLAINTIFF'S FIRST SET OF INTERROGATORIES AND REQUEST FOR PRODUCTION OF DOCUMENTS TO DEFENDANT** upon the attorneys for the defendant, **THE CITY OF NEW YORK**, herein, by depositing a copy of same, enclosed in a first class postpaid properly addressed wrapper, in a post office/official depository under the exclusive care and custody of the United States Postal Service, within the State of New York, directed to those attorneys at 100 Church Street, New York, New York 10007, being the address designated by said attorneys for that purpose.

Executed on: **July 8 , 2008**
Bronx, New York



Arlen S. Yalkut

Docket No.: 07 Civ. 09240 (DLC)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PATRICK WILLIS,

Plaintiff,

- against -

THE CITY OF NEW YORK and,

Defendants.

**PLAINTIFF'S FIRST SET OF INTERROGATORIES
AND REQUEST FOR PRODUCTION OF DOCUMENTS
TO DEFENDANT**

YALKUT & ISRAEL , ESQS.

Attorneys for Plaintiff
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Bronx, New York 10451

Tel: (718) 292-2952
